

UNITED STATES DISTRICT COURT  
IN THE EASTERN DISTRICT OF MICHIGAN

RYAN ORTIZ,  
Plaintiff,

-vs.-

**DEMAND FOR JURY TRIAL**

GLOBAL ACCEPTANCE CREDIT COMPANY,  
Defendant.

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**COMPLAINT & JURY DEMAND**

Plaintiff, Ryan Ortiz, through counsel, Nitzkin and Associates, by Gary Nitzkin states the following claims for relief:

**JURISDICTION**

1. This court has jurisdiction under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692k(d) and 28 U.S.C. §§1331,1337.
2. This court may exercise supplemental jurisdiction over the related state law claims arising out of the same nucleus of operative facts which give rise to the Federal law claims.

**PARTIES**

3. The Defendant to this lawsuit is Global Acceptance Credit Company, LP which is a Texas company that maintains registered offices in Tarrant County.

## **VENUE**

4. The transactions and occurrences which give rise to this action occurred in Oakland County.
5. Venue is proper in the Eastern District of Michigan.

## **GENERAL ALLEGATIONS**

6. Defendant is attempting to collect a consumer type debt allegedly owed by Plaintiff to Everest Institute in the amount of about \$9,923.00.
7. On or about March 22, 2012, Defendant called Plaintiff's brother's house and spoke with Plaintiff's brother, Adam.
8. Adam gave Plaintiff a message from the defendant to call the defendant back.
9. On or about March 23, 2012, Plaintiff contacted the defendant.
10. Plaintiff spoke with two collectors neither of whom ever identify themselves as debt

## **VIOLATION OF THE FAIR DEBT COLLECTION PRACTICES ACT**

11. Plaintiff reincorporates the preceding allegations by reference.
12. At all relevant times Defendant, in the ordinary course of its business, regularly engaged in the practice of collecting debts on behalf of other individuals or entities.
13. Plaintiff is a "consumer" for purposes of the FDCPA and the account at issue in this case is a consumer debt.
14. Defendant is a "debt collector" under the Fair Debt Collection Practices Act ("FDCPA"), 15 U.S.C. §1692a(6).

15. Defendant's foregoing acts in attempting to collect this alleged debt violated 15 U.S.C.

§1692 et. seq;

16. The Plaintiff has suffered economic, emotional, general and statutory damages as a result of these violations of the FDCPA.

### **DEMAND FOR JURY TRIAL**

Plaintiff demands trial by jury in this action.

### **DEMAND FOR JUDGMENT FOR RELIEF**

Accordingly, Plaintiff requests that the Court grant him the following relief against the defendant:

- a. Actual damages.
- b. Statutory damages.
- c. Treble damages.
- d. Statutory costs and attorney fees.

Respectfully submitted,

March 27, 2012

/s/ Gary Nitzkin  
GARY D. NITZKIN P41155  
MICHIGAN CONSUMER CREDIT LAWYERS  
Attorneys for Plaintiff  
22142 West Nine Mile Road  
Southfield, MI 48033  
(248) 353-2882  
Fax (248) 353-4840  
Email – [gary@micreditlawyer.com](mailto:gary@micreditlawyer.com)